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## *Fax Cover Sheet*

**DATE:** January 23, 2004

**FROM:** James G. Gatto  
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**CLIENT:** 92654-004-401

Attorney No.

2654

Client No.

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004-401

**To:**

NAME	BUSINESS #	FAX #
U.S. Patent & Trademark Office		703-872-9306

**MESSAGE:**

Re: Inventor: James G. Gatto  
Serial No.: 09/922,935  
Filing Date: August 7, 2001  
Title: Electronic Fund Transfer or Transaction System

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**JAN 23 2004**

**OFFICIAL**

We are sending a total of 5 pages, including this cover sheet.

RES 109057v1

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**STATEMENT OF CONFIDENTIALITY**

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Atty Docket No.: 92654-004-401

Inventor: James G. Gatto

Serial No.: 09/922,935 Filing Date: August 7, 2001


Title: ELECTRONIC FUND TRANSFER OR TRANSACTION SYSTEM

Documents Filed:

1. Notice of Appeal (in duplicate); and
2. Check in the amount of \$160.00.

VIA HAND DELIVERY

Sender's Initials: JGG/mrs Date: September 25, 2003



U.S. Application Serial No. 09/922,935  
Attorney Docket No. 92654-004-401

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE PATENT APPLICATION OF: James G. Gatto  
SERIAL NO.: 09/922,935  
FILING DATE: August 7, 2001  
ART UNIT: 2876  
EXAMINER: KARL D. FRECH  
FOR: ELECTRONIC FUND TRANSFER OR TRANSACTION SYSTEM

**NOTICE OF APPEAL**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's March 25, 2003 Office Action finally rejecting the pending claims in the above-identified application. A check in the amount of \$160.00 for filing this Notice of Appeal is enclosed herewith. 37 C.F.R. § 1.17(b).

A Request for Reconsideration was filed by Applicant on April 15, 2003 within two months from the March 25, 2003 mailing date of the Final Office Action. To date, Applicant has yet to receive any correspondence (e.g., an Advisory Action or otherwise) from the U.S. Patent Office regarding the above-identified application. Accordingly, Applicant submits that the two-month rule applies (*see* MPEP §706.07(f)) and that no extension of time fees are required with the filing of this Notice. If this determination has been made in error, however, the Commissioner is authorized to charge any additional fees that may be due, or credit any

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MINTZ LEVIN

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U.S. ... Application Serial No. 09/922,935  
Attorney Docket No. 92654-004-401

overpayment of same, to Deposit Account No. 50-0311 (Ref. No. 92654-004-401). A duplicate copy of this Notice is enclosed.

Respectfully submitted,

  
Rick A. Terzine #43,95

Date: September 25, 2003

By: James G. Gatto  
Registration No. 32,694

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